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## Facsimile Cover Sheet

To: U.S. Patent and Trademark Office  
Examiner David M. Shay

Fax: (571) 273-8300

From: William A. Munck, Esq.

Time: 4:30 P.M.

Date: December 12, 2007

Client/Matter: PRES06-00163

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U.S. Serial No. 09/556,143 filed April 21, 2000

Art Unit 3735

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ATTORNEY DOCKET NO. PRES06-00163  
Customer No. 23990

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Ronald A. Schachar  
U.S. Serial No. : 09/556,143  
Filing Date : April 21, 2000  
Title : SEGMENTED SCLERAL BAND FOR TREATMENT  
OF PRESBYOPIA AND OTHER EYE DISORDERS  
Group Art Unit : 3735  
Examiner : David M. Shay

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION BY FACSIMILE

Sir:

The undersigned hereby certifies that the following documents:

1. Interview Summary

relating to the above application was faxed to (571) 273-8300 on December 12, 2007.Date: Dec 12, 2007

Faxer

Kathy HamiltonDate: Dec 12, 2007William A. Munck

Reg. No. 39,308

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**INTERVIEW SUMMARY**

The Applicant's representative (David M. Doyle, Reg. No. 43,596) spoke with Examiner David Shay on December 12, 2007 on behalf of the undersigned counsel regarding the above-identified patent application.

The Applicant submitted amendments to Claim 54 on February 15, 2007 in response to a final Office Action. Examiner Shay refused to enter the amendments, and a Request for Continued Examination (including the same amendments) was filed on April 12, 2007.

DOCKET NO. PRES06-00163  
SERIAL NO. 09/556,143  
PATENT

Because of this, the Office Action dated June 29, 2007 should have contained a "non-final" rejection of the claims. Instead, the Office Action dated June 29, 2007 contained a "final" rejection of the claims.


Examiner Shay acknowledged that the "final" rejection of the claims in the Office Action dated June 29, 2007 was erroneous and should have been a "non-final" rejection. Examiner Shay also agreed that a subsequent Office Action in this application should issue in due course in reply to the Applicant's response filed on August 28, 2007. In addition, Examiner Shay acknowledged that the application would not go abandoned because the Applicant filed a timely response on August 28, 2007.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date:

Dec 12, 2007

  
\_\_\_\_\_  
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